



City of Westminster

Licensing Committee Report

Meeting:	<i>Licensing Committee</i>
Date:	<i>Wednesday 30th November 2016</i>
Classification:	<i>For General Release</i>
Title:	<i>Westminster Licensing Standard/Charter and Local Alcohol Action Areas application</i>
Wards Affected:	<i>St James's</i>
Financial Summary:	<i>N/A</i>
Report of:	<i>Executive Director of City Management and Communities</i>

1. Executive Summary

- 1.1. This paper provides a summary of the development work that has gone into the voluntary, industry-led Westminster Licensing Standard in recent months, including discussions with prospective pilot areas.
- 1.2. The paper also provides an overview of the Home Office's Local Alcohol Action Areas (LAAAs) programme which the council has applied to be a part of and aligns closely with the ambitions of the Licensing Standard.

2. Recommendations

- 2.1. The Committee is asked to note the report
- 2.2. The paper seeks the views of the Committee on the options available to the Council and partners in implementing the Licensing Standard proposition based on feedback throughout the process to date (see section 4). Most notably:
 - What commitments should the council consider as part of its reciprocal offer to the industry as part of this partnership initiative?
 - Based on the feedback from engagement thus far, should we consider re-branding the 'Standard' as we move to implementation to better reflect the two-way nature of the project?

3. Background

3.1. It is a core commitment of City For All: Year 2 to “support the entertainment industry to develop a voluntary Westminster Standard which promotes responsible behaviour amongst licensees and sets the standard in terms of caring for the welfare of their patrons and being good neighbours”. This commitment was made as part of a wider acknowledgement of the council’s role as a custodian of the city and our duty to protect and enhance Westminster’s unique heritage so that every neighbourhood remains a great place to live, work, invest in, and visit, both now and in the future.

3.2. Following a series of bi-lateral preparatory meetings with key partners from the night time economy, a roundtable workshop was held in May 2016 for a range of organisations to provide ideas and feedback on the initial thinking behind the proposal. The key feedback from this session was as follows:

- The initiative must be industry-led and voluntary for those that want to take part and yet contribute to a demonstrable shift in how premises operate in an area.
- The focus is on improving support available for individuals who may be vulnerable as a result of intoxication, drugs or other issues in the evening and night time economy.
- Responsible operators. Premises have a responsibility to look after patrons who may be vulnerable both inside and outside their premises and should be recognised for doing so.
- Responsible enforcement. Premises should not fear having someone who is too drunk or otherwise vulnerable on the premises, provided the individual is being properly looked after and enforcement agencies should act accordingly.
- It is considered most practical to trial this in a small area of the city rather than seek to implement city-wide initially due to the diversity and complexity presented by attempting to deliver across the city as a whole.

3.3. Based on this feedback it has been identified that the specific objectives of the project are:

- Premises better able to support vulnerable individuals in and around their premises.
- Reductions in associated anti-social behaviour, crime and emergency health issues.
- Night Time Economy supported to grow responsibly.
- Improved working relationship between council, police and industry and improved perception of the council amongst key operators.

3.4. On this basis and following the workshop, officers have engaged with two prospective pilot areas, Leicester Square/Piccadilly Circus and Carnaby/Kingly Streets. These areas were chosen on the basis of support from major stakeholders in the area (Heart of London Business Alliance and Shaftesbury Plc. respectively) and the challenges faced by the two areas which are significantly different in terms of the make-up on licensed premises.

- 3.5. Significant progress has been made with the Leicester Square pilot as engagement has taken place with HOLBA officers and members on a number of occasions to develop specific proposals further. Officers continue to work up ideas with HOLBA and the Metropolitan Police with a view to presenting a draft proposal to a session with a full range of licensed premises early in the New Year. The feedback from this session will then be used to finalise and tweak the draft proposition before it is scheduled to be published and implementation commences from March.
- 3.6. There are a number of specific opportunities that are under consideration as part of this project in terms of what types of behaviours we might expect premises to adopt. For example:
- Adherence with an enhanced Best Bar None scheme introduced with a focus on reducing vulnerability. For example adoption of policies and practices for how to deal with vulnerable people inside, and in the immediate vicinity of, the premises.
 - Incorporate schemes such as Drinkaware Crew into staffing structures to support identification of vulnerable individuals, provide information to patrons reduce anti-social behaviour as a result of intoxication, and reduce pressure on security staff.
 - Support the provision of information to patrons on how to get home safely and leave the area quickly and quietly.
 - Support the provision of safe spaces for individuals who may be intoxicated, under the influence of drugs or otherwise vulnerable as a result of their situation e.g. lost their friends and their phone has run out of battery.
- 3.7. There are a number of good examples where similar approaches have worked both inside and outside Westminster. For example, during this year's Pride celebrations, a major operator in the city opened one of their premises early for breakfast and 'chill-out' space before the tube opened to support individuals to recover and seek any help they may need before heading home. If this works for the premises commercially, it may be replicable on a more sustained basis.

4. Key issues for discussion

- 4.1. Whilst there is support and appetite for the concept at a general level from licensed premises in the proposed pilot areas, it is clear that, whilst this is a voluntary initiative, the industry are keen to understand what the reciprocal offer is from the local authority and other regulatory authorities most notably the Metropolitan Police. Based on feedback from initial discussion, there are a number of areas that industry would want to see greater commitment from the council and the Police in particular.
- 4.2. Whilst no firm decisions are proposed as part of this paper, in principle would the Committee consider endorsing proposals for the council and partners to explore innovations in approach and policy such as the following?:
- Draw in and coordinate support from voluntary schemes such as Drinkaware Crew and Street Pastors.

- Provision of training to licensing premises on how to deal with certain potential dangerous or damaging situations e.g. major security incidents, identifying and managing vulnerability through intoxication, drugs or other factors.
- Reform the approach to identifying problem premises and tasking by using a wider range of factors than purely crime data.
- An enhanced compliance support offer which enables premises to proactively address issues in partnership with authorities and avoids the need for expensive enforcement action.
- Work with the industry to trial new approaches to promoting the responsible night time economy which will inform future policy development.
- A balanced approach to enforcement and remedial action which takes into account how a premises dealt with a situation such as a highly intoxicated and vulnerable individual as evidence of good practice.
- Flexibility and exemptions for compliant premises in the event of any future implementation of the Late Night Levy.
- Support for place marketing relating to the responsible offer of the West End based on the positive actions taken by supportive premises.

4.3. Any decision to implement any of the above proposals would be subject to the normal decision making processes including, where appropriate, the Licensing Committee.

4.4. It is also worth noting that the industry have also noted that the term 'Standard' is potentially unhelpful and does not communicate either the voluntary nature or partnership approach that is desired. As such, it is suggested that this piece of work is rebranded as part of the ongoing engagement with business with an interim title of the "Licensing Charter".

5. Local Alcohol Action Areas (LAAAs)

5.1. The Home Office has launched phase 2 of its Local Alcohol Action Area (LAAA) programme which aims to prevent alcohol-related crime and disorder, reduce alcohol-related health harms and generate economic growth by creating a vibrant and diverse night time economy.

5.2. Phase one ran between February 2014 and March 2015 across 20 areas of England and Wales. Phase two will involve up to 40 areas, will last for up to two years and will aim to tackle the following five core challenges:

- i. How can local areas improve the collection, sharing and use of data between A&E Departments, local authorities and the police?
- ii. How can local authorities, the police and businesses ensure the safe movement of people in the night time economy, including situation where offenders are targeting vulnerable people?
- iii. How can local areas expand their use of safe spaces?
- iv. How can local authorities, the police and business work together to help prevent the sale of alcohol to drunks in both the off- and on-trades?

- v. How can local authorities, the police and business work together to help design out crime?
- 5.3. The Council has submitted a bid to address the second and third challenges in the LAAA programme broadly based on the Licensing Standard proposal outlined above.
- 5.4. The programme also has three core aims:
- i. Preventing alcohol-related crime and disorder;
 - ii. Reducing alcohol-related health harms; and
 - iii. Generating economic growth by creating a vibrant and diverse night time economy.
- 5.5. The Council's bid proposed a focus on the first and third aims, although it was noted as part of the submission that success would probably also involve a reduction of health harms and, although not a core aim of the project, this would be monitored.
- 5.6. Applicants were asked to identify local solutions to locally identified problems, put in place plans and strategies to tackle those problems and monitor their effectiveness. Successful areas will benefit from access to expertise in central government, mentoring and learning from other areas involved or previously involved as well as access to independent initiatives such as Pubwatch, Street Pastors and Purple Flag.
- 5.7. The support available from the Home Office does not include funding but offers the opportunity to promote our initiative and secure continued engagement with the Home Office on strategic issues relating to licensing policy.

6. Financial Implications

- 6.1. There are no financial implications as a result of this report.

7. Legal Implications

- 7.1. There are no legal implications as a result of this report as the proposed Licensing Standard/Charter falls outside of the core legal obligations associated with the Licensing Act 2003.

8. Staffing Implications

- 8.1. There are no staffing implications as a result of this report.

9. Reason for Decision

- 9.1. The proposals and issues set out in this report contribute to the delivery of a key City For All commitments and are based on discussions and engagement with partners since that commitment was made in March 2016.

10. If you have any queries about this report or wish to inspect one of the background papers please contact Richard Cressey on 020 7641 3403 or via email rcressey@westminster.gov.uk.